

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA §
§
v. § NO. 1:16-CR-46
§ (Judge Marcia Crone)
§
§
DONALD RAY TURK (3) §

ELEMENTS OF THE OFFENSE

Count Five

18 U.S.C. § 4

You are charged in Count Five of the indictment with a violation of 18 U.S.C. § 4, misprision of a felony: that is, bribery of a public official.

The essential elements which must be proven to establish the 18 U.S.C. § 4 violation are:

- First: That a federal felony was committed, as charged in Count One of the indictment;
- Second: That the defendant had knowledge of the commission of the felony;
- Third: That the defendant failed to notify an authority as soon as possible. An "authority" includes a federal judge or some other federal civil or military authority, such as a federal grand jury, Secret Service or FBI Agent; and
- Fourth: That the defendant did an affirmative act, as charged, to conceal the crime.

JOHN M. BALES
UNITED STATES ATTORNEY

/s/ John A. Craft

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered by electronic delivery to defendant's attorney 13th day of June of 2016.

/s/ John A. Craft

JOHN A. CRAFT